

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7728 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE R.BALIA.

- =====
1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?

BIPINCHANDRA MANSUKHLAL SHAH

Versus

REGIONAL PASSPORT OFFICE

Appearance:

MR BN RAVAL for Petitioner

MS PROMILA SAFAYA for Respondent No. 1

CORAM : MR.JUSTICE R.BALIA.

Date of decision: 07/04/97

ORAL JUDGEMENT

Heard learned counsel for the parties.
The case of the petitioner is that the petitioner is a citizen of India and he was born at village Bodidara of Vaghodia Taluka of District: Baroda. He had applied for passport which was issued to him in September, 1985 and it was due for renewal on 17th September, 1995. It was

noticed by the petitioner that in column of birth place in the passport, his birth place has been shown as Zarod in place of Bodidra for which he had moved an appropriate application before passport authorities to issue renewed passport with correct place of birth. It is also urged by the learned counsel for the petitioner that he has furnished necessary proof in support of his prayer, but the passport authorities are insisting to obtain orders of the Court in this regard.

2. This is an issue which falls within the jurisdiction of the passport authorities to decide the application of the like nature which concerns amendment in entries of the passport on being satisfied about the claim for amendment on the basis of the material placed before it. The Passport authorities cannot shift the obligation to determine these issues which fall within their jurisdiction to decide by directing the applicants to Courts blind-foldedly.

3. Accordingly, this petition is allowed. The respondents are directed to decide the petitioner's application for necessary change in the passport for place of birth within a period of one month. Rule is made absolute with no order as to costs.

(Rajesh Balia,J)

***darji